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January 13, 2023

VIA ECF

The Honorable Renee Marie Bumb
U.S. District Court for the District of New Jersey
Mitchell H. Cohen Building
& U.S. Courthouse
4th & Cooper Streets
Camden, New Jersey 08101

Re: Koons, et al. v. Reynolds, et al. - No.: 1:22-cv-07464
Siegel, et al. v. Platkin, et al. - No.: 1:22-cv-07463

Dear Judge Bumb:

We represent the *Siegel* plaintiffs in *Siegel, et al. v. Platkin, et al.*

As the Court is aware, the *Siegel* case was consolidated into the *Koons* case yesterday by the Honorable Karen Williams U.S.D.J. We write because the *Siegel* Plaintiffs urgently request that Your Honor decide the pending TRO motion of the *Siegel* Plaintiffs.

Siegel, filed on the same day as *Koons*, challenges the same statute enacted by the State of New Jersey on December 22, 2022, variously referred to in the papers as Chapter 131 or A4769. *Koons* challenges five so-called “sensitive place” restrictions in Sections 7(a) and 7(b) of Chapter 131. *Siegel* challenges those same five provisions plus a number of the other sensitive place restrictions in Section 7(a), as well as several other provisions of Chapter 131. The *Siegel* Plaintiffs also assert several different legal theories as a basis for relief in addition to seeking relief under the Second Amendment and *New York State Rifle & Pistol Association v. Bruen*, 142 S. Ct. 2111 (2022).

On December 23, 2022, the *Siegel* Plaintiffs urgently moved for a temporary restraining order (“TRO”) and preliminary injunction (“PI”). Initially the TRO portion of the motion was scheduled for oral argument before Judge Williams on January 9, 2023. The TRO motion seeks

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relief only as to the Section 7(a) and 7(b) sensitive places restrictions. Relief as to the other challenged provisions of Chapter 131 has been reserved for the PI stage.

As a result of this Court's decision and order granting a TRO in *Koons* entered the morning of January 9, 2023, Judge Williams adjourned the TRO hearing in *Siegel* to January 12, 2023 to allow for her review of the *Koons* TRO decision and for supplemental briefing by the *Siegel* parties on the impact of the *Koons* TRO on the *Siegel* application for a TRO and the State's motion to consolidate the two cases.

Yesterday, Judge Williams heard oral argument on the *Siegel* TRO motion and the State's motion to consolidate. Judge Williams did not rule on the TRO motion and ordered *Siegel* consolidated in *Koons* before Your Honor.

This places the *Siegel* TRO motion before Your Honor for disposition. In light of the several delays in having the *Siegel* TRO motion heard and decided, the *Siegel* Plaintiffs urgently request that Your Honor decide the TRO motion as soon as possible. The motion is fully briefed, and our office is overnighting to Your Honor under separate cover courtesy copies of all of papers. We have also ordered the transcript from yesterday's oral argument for Your Honor's convenience. If Your Honor wishes to have additional oral argument we can be available any day next week.

Notably, in light of the breadth and thoroughness of Your Honor's decision in *Koons*, we believe that at the TRO stage of *Siegel*, the Court can afford the *Siegel* Plaintiffs complete TRO relief solely on the Second Amendment claims without needing to reach the other theories asserted. Further, we believe that all of Your Honor's findings and conclusions in the *Koons* TRO apply equally to the claims in *Siegel*, and therefore most of the work necessary to resolve the *Siegel* TRO motion has already been done.

Thank for your attention in this regard.

Respectfully submitted,

s/ Daniel L. Schmutter
DANIEL L. SCHMUTTER

DLS/ars

Cc: Angela Cai, Esq.
David Jensen, Esq.